

FILED
Clerk
District Court

SEP 29 2006

For The Northern Mariana Islands
By _____
(Deputy Clerk)

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN MARIANA ISLANDS

UNITED STATES OF AMERICA,)	Criminal No. 02-00010
)	
Plaintiff)	
)	
v.)	ORDER REGARDING
)	WRITTEN SUBMISSIONS
BERT DOUGLAS MONTGOMERY,)	OF COUNSEL
)	
Defendant)	
_____)	

IN ACCORDANCE with the September 20, 2006, mandate of the U.S. Court of Appeals for the Ninth Circuit, said mandate received by this court on September 28, 2006,

IT IS ORDERED that counsel for plaintiff and defendant shall submit written comments addressing any factors---not only within the advisory sentencing guidelines, but also those encompassed by the goals and purposes of sentencing as reflected in 18 U.S.C. § 3553(a)---that counsel believes warrants re-sentencing of this

1 defendant. As stated in the Ninth Circuit's opinion of August 29, 2009, this court "is
2 asked to consider whether non-Guidelines factors might have justified a sentence
3 different from the one imposed if, at the time of sentencing, the court's discretion
4 had not been constrained by the mandatory Guidelines."
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6 Counsels' submissions must be received no later than 3:30 p.m., October 20,
7 2006. Although a hearing is not required, the court will schedule a hearing if, after
8 reviewing the submissions, it believes such a hearing would be useful to its
9 deliberations.
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11 DATED this 29th day of September, 2006.
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16 ALEX R. MUNSON
17 Judge
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